

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES ROBINSON,
Plaintiff,
vs.
ANTHONY MURRY, *et al.*,
Defendant

Case No. 2:11-cv-1664-GMN-GWF

ORDER

Civil Rights Complaint (#1)

This matter comes before the Court on Plaintiff's Civil Rights Complaint (#1), filed on

October 14, 2011. Plaintiff James Robinson is proceeding in this action *pro se*. Plaintiff submitted a Complaint (#1) pursuant to 42 U.S.C. § 1983, but Plaintiff did not pay the required filing fee of \$350.00 or file an application to proceed *in Forma Pauperis* in compliance with 28 U.S.C. § 1915(a)(1) and (2) and Local Rules LSR 1-1 and 1-2.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The Court may waive the filing fee where a prisoner-plaintiff complies with the strict application to proceed *in forma pauperis* filing requirements imposed by the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915; *Page v. Torrey*, 201 F.3d 1136, 1139 (9th Cir. 2000). These include the requirements that the prisoner-plaintiff seeking to proceed *in forma pauperis* 1) submits a certified copy of his prisoner trust fund account statement for the previous six months, 2) pays the full amount of the filing fee, and 3) that a prisoner seeking to file an action regarding prison conditions first exhausts available administrative remedies, *see* 28 U.S.C. § 1915(a)-(b); *Page*, 201 F.3d at 1139. Accordingly,

• • •

1 **IT IS HEREBY ORDERED** that Plaintiff shall file an Application to Proceed *in Forma*
2 *Pauperis*, accompanied by a signed financial certificate and certified copy of his prisoner trust fund
3 account for the previous six months. The Clerk of the Court shall send Plaintiff a blank application
4 form for *pro se* litigants who are incarcerated. In the alternative, Plaintiff shall make the necessary
5 arrangements to pay the filing fee of three hundred fifty dollars (\$350.00), accompanied by a copy
6 of this Order. Plaintiff shall have **thirty (30) days** from the date on which this Order is entered to
7 comply. Failure to comply will result in a recommendation to the District Judge for dismissal of
8 this action.

9 DATED this 18th day of October, 2011.

10 
11

12 GEORGE FOLEY, JR.
United States Magistrate Judge